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(107)

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FILED
HARRISBURG, PA

SEP 13 2002

MARY E. DIANDREA, CLERK
Per *[Signature]*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DARRELL G. OBER,

Plaintiff

vs.

PAUL EVANKO, MARK
CAMPBELL, THOMAS COURY,
JOSEPH WESTCOTT,
HAWTHORNE CONLEY,

Defendants

File Number 01-0084

Notice of Appeal

J. Conner

NOTICE OF APPEAL

Notice is hereby given that Paul Evanko, Commissioner of the Pennsylvania State Police; Thomas Coury, Deputy Commissioner of the Pennsylvania State Police; Joseph Westcott, former Deputy Commissioner of the Pennsylvania State Police; and Hawthorne Conley, Deputy Commissioner of the Pennsylvania State Police; defendants in the above named case, hereby appeal to the United States Court of Appeals for the Third Circuit from the order denying their motion for summary judgment based on qualified immunity grounds, entered in this action on the twenty-eighth day of August, 2002.

By:

[Signature]
Syndi L. Guido, Deputy General Counsel
Barbara L. Christie, Chief Counsel
Joanna N. Reynolds, Assistant Counsel
Counsel for Defendants

Governor's Office of General Counsel
333 Market Street, 17th Floor
Harrisburg, PA 17101
(717) 787-9356

Dated: September 13, 2002

INFORMATION STATEMENT TO BE COMPLETED BY U.S. DISTRICT COURT

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HARRISBURG, PA

CAPTION:

DISTRICT COURT NO. 1:01-CV-084

DARRELL G. OBER

CT. OF APPEALS NO. _____

Vs

PAUL EVANKO, et al.

NOTICE OF APPEAL FILED Sept. 13, 2002 COURT REPORTER(S) _____

FILING FEE:

NOTICE OF APPEAL X PAID ___ NOT PAID ___ SEAMAN

DOCKET FEE X PAID ___ NOT PAID ___ USA

CJA APPOINTMENT: (Attach Copy of Order)

___ PRIVATE ATTORNEY

___ DEFENDER ASSOCIATION OR FEDERAL PUBLIC DEFENDER

___ MOTION PENDING

LEAVE TO PROCEED IN FORMA PAUPERIS STATUS, IF APPLICABLE:

(Attach Copy of Order)

___ MOTION GRANTED (IN FIRST INSTANCE)

___ MOTION DENIED (IN FIRST INSTANCE)

___ MOTION PENDING BEFORE DISTRICT JUDGE

CERTIFICATE OF PROBABLE CAUSE (STATE HABEAS CORPUS):

(Attach copy of Order)

___ GRANTED

___ DENIED

___ PENDING

COPIES TO:

Judge Christopher C. Conner

Judge William W. Caldwell

Don Bailey, Esquire

Syndi L Guido, Deputy General Counsel

Joanna N. Reynolds, Esquire

Barbara Christie, Esquire

File Copy

PREPARED BY Shawna L. Cihak
Deputy Clerk

Date: September 16, 2002



UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF PENNSYLVANIA
William J. Nealon Federal Bldg & U.S. Courthouse
235 North Washington Avenue
P.O. Box 1148
Scranton, PA 18501-1148

MARY E. D'ANDREA
Clerk of Court

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Office of the Clerk
United States Court of Appeals
for the Third Circuit
21400 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1790

RE: OBER v. EVANKO, et al.
USDC NO: 1:CV-01-084
USCA NO:
E-mail Account: All correspondence should be sent to the e-mail account:
PAMDAPPEAL1

Dear Ms. Waldron:

A *Notice of Appeal* was filed in the above-referenced case.

_____ Civil Prisoner Case: Case file and docket sheet available through RACER.

_____ Non-Prisoner *Pro Se* Civil Case: Notice of Appeal and Docket Sheet available through RACER.

 X Non-Prisoner Civil Case or Criminal Case: Notice of Appeal and Docket Sheet available through RACER.

_____ Civil Prisoner Case: ___ Supplemental Record filed. Documents and docket sheet available through RACER.

_____ Non-Prisoner Civil Case or Criminal Case:
___ Supplemental Record filed. Docket Sheet available through RACER.

The Clerk's Office hereby certifies the record and the docket sheet available through RACER to be the certified list in lieu of the record and/or the certified copy of the docket entries.

Very truly yours,

s/ Shawna L. Cihak
Deputy Clerk

Date: September 16, 2002